

11-15-05

IPW

ATTORNEY DOCKET NO.  
064731.0350

SERIAL NO.  
10/775,929

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koji (nmi) Takeguchi  
Serial No.: 10/775,929  
Filing Date: February 10, 2004  
Title: Upgraded Flexible Open Ring Optical Network and Method

**Mail Stop: Amendments**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Certificate of Mailing by  
Express Mail No. EV 733645303 US  
I hereby certify that this correspondence is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" under  
37. C.F.R. 1.10 on the date shown below, and  
addressed to Commissioner for Patents, P.O. Box  
1450, Alexandria, Virginia 22313-1450.

Name: Willie Jiles  
Willie Jiles

Date: November 14, 2005

**INFORMATION DISCLOSURE STATEMENT**

Under 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants respectfully request that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

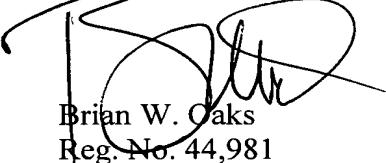
**REMARKS**

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty days prior to the filing of this Information Disclosure Statement, and this Information Disclosure Statement is submitted before a first Office Action on the merits. Under 37 C.F.R. § 1.97(b)(3), no fee is due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



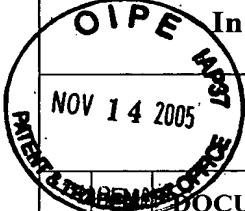
Brian W. Oaks  
Reg. No. 44,981

Date: November 14, 2005

Correspondence Address:

**Customer Number                    05073**

|  |                               |                                      |
|--|-------------------------------|--------------------------------------|
| PTO-1449<br><br>Information Disclosure Citation<br>In an Application | Application No.<br>10/775,929 | Applicant(s)<br>Koji (nmi) Takeguchi |
|  | Docket Number<br>064731.0350  | Group Art Unit<br>Unknown            |
|  |                               | Filing Date<br>February 10, 2004     |



## U.S. PATENT DOCUMENTS

| DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|--------------|------|------|-------|----------|-------------|
| A            |      |      |       |          |             |
| B            |      |      |       |          |             |
| C            |      |      |       |          |             |
| D            |      |      |       |          |             |
| E            |      |      |       |          |             |
| F            |      |      |       |          |             |
| G            |      |      |       |          |             |

## FOREIGN PATENT DOCUMENTS

|   | DOCUMENT NO. | DATE       | COUNTRY                | CLASS | SUBCLASS | TRANSLATION |    |
|---|--------------|------------|------------------------|-------|----------|-------------|----|
|   |              |            |                        |       |          | YES         | NO |
| H | WO 96/32787  | 10/17/1996 | PCT                    |       |          |             |    |
| I | WO 98/52314  | 11/19/1998 | PCT                    |       |          |             |    |
| J | WO 03/104849 | 12/18/2003 | PCT                    |       |          |             |    |
| K | EP 0 668 674 | 08/23/1995 | European Patent Office |       |          |             |    |

## NON-PATENT DOCUMENTS

|   | DOCUMENT (Including Author, Title, Source, and Pertinent Pages)  | DATE       |
|---|--|------------|
| L | Communication from the European Patent Office, European Search Report for Application No. EP 05 01 3846, 10/18/2005, 4 pages | 10/18/2005 |
| M |  |            |
| N |  |            |
| O |  |            |
| P |  |            |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.